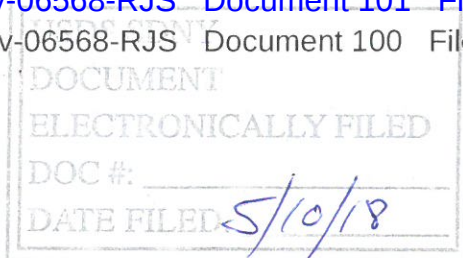




David Tracey, Associate
(646) 402-5667
dtracey@sanfordheisler.com



Sanford Heisler Sharp, LLP
1350 Avenue of the Americas, Floor 31
New York, NY 10019
Telephone: (646) 402-5650
Fax: (646) 402-5651
www.sanfordheisler.com

New York | Washington D.C. | San Francisco | San Diego | Nashville | Baltimore

May 10, 2018

VIA ECF & EMAIL

Hon. Richard J. Sullivan

U.S. District Court for the Southern District of New York

40 Foley Square

New York, NY 10007

Discovery has been stayed since December 8, 2016, and the stay shall continue pending the resolution of Defendants' motion to dismiss.

SO ORDERED

Dated: 5/10/18

RICHARD J. SULLIVAN
U.S.D.J.

Re: Patterson et al. v. Morgan Stanley et al., 1:16-CV-6568 (RJS)

Request for Clarification of Order Staying Discovery (ECF No. 50)

Dear Judge Sullivan:

Plaintiffs write to request clarification of the Order staying discovery in the above-referenced action. (ECF No. 50). That Order, dated December 8, 2016, granted a stay of all discovery "pending resolution of Defendants' contemplated motion to dismiss." The Court denied as moot Defendants' motion to dismiss on September 27, 2017 (ECF No. 86) and simultaneously granted Plaintiffs' motion for leave to amend. (*Id.*). Shortly thereafter, Defendants filed another motion to dismiss (ECF No. 92), which is now fully briefed and pending. As the Parties have been litigating dismissal motions since the time the stay was granted, Plaintiffs seek the Court's clarification that the stay of discovery (ECF No. 50) has remained in effect since December 8, 2016 and will remain in effect until the Court decides Defendants' pending motion to dismiss. Defendants do not object to this request for clarification.

Plaintiffs are available at the Court's convenience to provide any further information that the Court may require.

Respectfully,

/s/ David Tracey
David Tracey
Counsel for Plaintiffs
and the proposed class